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## *Williamson Act Agricultural Preserves*

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The California Land Conservation Act (Williamson Act) was enacted by the State Legislature in 1965 as a means of preserving California's Prime agricultural lands from urbanization. Since it was enacted, the Act has been amended several times to allow its use not only to protect prime agricultural lands, but most other types of open space lands as well.

The Williamson Act involves voluntary contracts between landowners and the City in which they agree to retain their lands in agriculture or other open space uses for a minimum of ten years. In return for entering into this contract, the landowners receive property tax relief on the lands under contract. This relief is provided through the assessment of the lands based upon their income-producing value rather than their market value, which may be considerably higher.

The contracts have a ten-year term which are automatically renewed each year on a common anniversary date of January 1 unless they are cancelled or notice of non-renewal is given. If notice of non-renewal is given by either party to a contract, the non-renewal process begins on the following anniversary with nine years remaining. During the remaining term of the contract after notice of non-renewal has been given, the property taxes increase gradually according to a formula that eventually brings them up to the same level as non-Williamson Act lands.

For more information review the California Land Conservation Act of 1965, Chapter 7 of Part 1 of Division 1 of Title 5 of the California Government Code commencing with section 51200 and the City's Resolution 19740.

**APPLICATION SUBMITTAL:** Applications will be conditionally accepted on the presumption that the information, materials and signatures are complete and accurate. If the application is incomplete or inaccurate, your project may be delayed until corrections or additions are received.

**APPLICATION PROCESSING:** Upon receipt of a complete and accurate application including applicable fees, the City process for placing land into the Williamson Act is as follows:

- After submission of a complete agricultural preserve application to the Planning Department, the application will be referred to the Technical Advisory Committee (TAC) for review and report followed by a public hearing before the City Council. The TAC is a committee comprised of the Planning Director, or his or her designee and those persons appointed by the City Council to serve as members of the City's Land Use Committee.
- If an environmental assessment is required by the California Environmental Quality Act (CEQA), in cases of an applicant that is a public entity or a person supported in part or in whole through public funds or other forms of assistance, the application shall also be referred to the Planning Commission. Notice of the public hearing is provided as required by the California Land Conservation Act of 1965 and the public hearing is scheduled within sixty days after submittal of a complete application.
- An agricultural preserve is to consist of no less than 100 acres, provided, however, that the City Council may establish agricultural preserves of less than 100 acres if it finds that smaller preserves are necessary due to unique characteristics of the agricultural enterprises in the area and that the establishment of preserves of less than 100 acres is consistent with the General Plan.

The City process for canceling the Williamson Act is as follows:

- After submission of a complete agricultural preserve application to the Planning Department, staff will prepare a report with the required findings pursuant to the Williamson Act for City Planning Commission review and approval.
- If an environmental assessment is required by the California Environmental Quality Act (CEQA), in cases of an applicant that is a public entity or a person supported in part or in whole through public funds or other forms of assistance or for preserves greater than 100 acres, the application shall also be referred to the Planning Commission. For preserves greater than 100 acres the report will be sent to the State Clearinghouse. Notice of the public hearing is provided as required by the

California Land Conservation Act of 1965 and the public hearing is scheduled within sixty days after submittal of a complete application.

**HEARINGS:** The applicant, a representative, or the legal owner should be present at all hearings.

**APPEAL PROCESS:** If your request is denied, you have the right to appeal. Appeal information is available from the Planning & Building Department, on the City website or in the final report.

**PLANNING FEES (*FILING FEES ARE GENERALLY NOT REFUNDABLE*):**

Placement into a Preserve	\$ 230.00
Initial Study without grading	\$ 319.00
Cancellation of a Preserve (public hearing fee)	\$ 176.00
Initial Study without grading	\$ 319.00

**REQUIRED ITEMS FOR FILING** (The following checklist gives you the requirements for application):

*All graphics shall be folded to 8-½ by 11 inches with the bottom right corner visible.*

- ☐ One (1) copy of the completed General Application form.
- ☐ One (1) copy Environmental Information Form. (*For scheduling use CEQA scheduled meeting dates.*)

*The Planning Department may, during the course of its initial review of the application, determine that additional information is required, such as biological, traffic, noise or archeological studies. The Planning Department may require the submittal of supplemental materials as necessary. All required information must be submitted in order to complete the application prior to the matter being scheduled for review by the City Planning Commission.*

- ☐ One (1) copy Plat Map of the Subject Property. (Assessor's Map showing the subject parcel(s) is acceptable.)
- ☐ One (1) copy of the most recent Grant Deed with a complete and accurate legal description of each parcel involved. (A deed can be obtained from a Title Company).
- ☐ One (1) copy of any other information to support the request.
  - Photos of the land and/or trees
  - Information supporting the fact that the land is a working agricultural entity
  - If the preserve is less 100 acres, information supporting that the preserve is necessary due to unique characteristics of the agricultural enterprises in the area.